

TENNESSEE BOARD OF DISPENSING OPTICIANS

DATE: June 2, 2006

TIME: 9:00 a.m.

LOCATION: Tennessee Room
Ground Floor, Cordell Hull Building
425 Fifth Avenue, North
Nashville, TN 37247

BOARD MEMBERS

PRESENT: Kelly Godsey, DPO, Chair
Stacey Chitwood, DPO
Peggy Hannah, DPO
Kathy Hawkins, DPO

BOARD MEMBERS

ABSENT: Felda Stacey, DPO, Secretary

STAFF

PRESENT: Stacy Lannan, AARB1
Nicole Armstrong, Advisory Attorney
Barbara Maxwell, Administrative Director
Jerry Kosten, Rules Coordinator

Mr. Godsey, chair, called the meeting to order at 9:10 a.m. A sufficient number of board members were present to constitute a quorum.

Review Minutes

Upon review of the March 29, 2006 minutes, Ms. Hannah made a motion, seconded by Ms. Hawkins, to approve the minutes as corrected. The motion carried.

Conflict of Interest

Ms. Armstrong reviewed the conflict of interest statement asking all board members to disclose any possible conflict of interest to determine if that board member shall recuse him/herself from the proceedings and leave the board room.

Office of General Counsel Report

Ms. Armstrong said the criminal background check rule was approved by the Attorney General March 17, 2006 and became effective May 31, 2006. Ms. Armstrong said information on obtaining a criminal background check can be found at the board's web site.

Mr. Godsey asked if the criminal background check applied only to Dispensing Optician applicants. Ms. Armstrong said yes, apprentice applicants are not required to obtain a criminal background check.

Ms. Armstrong said the use of titles, advertising, screening panels, pre-1996 apprenticeship experience and other state licensure requirements rule amendments were sent to the Attorney General January 25, 2006 where they remain.

Ms. Armstrong said the Office of General Counsel had no open files pertaining to the Board of Dispensing Opticians.

Investigative Report

Ms. Armstrong reviewed the investigative report stating there are currently five (5) complaints against dispensing opticians which were carried over from 2005.

Disciplinary Report

Ms. Armstrong said Lea Phelps is the discipline coordinator and is currently monitoring four (4) disciplined dispensing opticians.

Ms. Armstrong said following the report is a list of all dispensing opticians who have been disciplined by the board since 1989.

Financial Report

Ms. Lannan stated the board has a cumulative carry over at June 2005 of \$169,841.74. Ms. Lannan said the board's cost for the move to Metro Center should be expensed by year end.

Administrative Report

Ms. Lannan reviewed the administrative report with the board stating there are currently 811 active dispensing opticians, 177 retired, 385 failed to renew, 146 active apprentices and 31 revoked dispensing opticians.

Ms. Lannan stated she issued ten (10) letters to applicants eligible to take the practical exam.

Ms. Lannan said the move to Metro Center is scheduled for June 14, 2006 and board meetings will be held at the Maxwell House until completion of our board rooms.

Apprenticeship Program

Ms. Armstrong asked the board to look at the apprenticeship program rule amendment to determine if additional amendments are needed to omit any gray areas.

Mr. Godsey said it's the board's responsibility to make sure the apprentice supervisor has the proper equipment on site to train the apprentice.

Ms. Armstrong asked if the board wants to amend the rules from "recommend" to "require" to assure the apprentice gets the correct training.

Mr. Godsey said he is also concerned whether or not a supervisor is on the premises at all times, how long the supervisor must be licensed and how long an apprentice can be in an apprenticeship program.

Mr. Godsey asked the board members to think about these issues and to Mr. Kosten by July.

Mr. Ferguson said he has done a lot of research on supervision and that UT Medical units define personal supervised supervision (present with the apprentice), direct (somewhere in the facility), supervision (somewhere in the world and can be contacted).

Mr. Godsey recommended fifteen (15) days for the timeline of filing semi-annual evaluation reports.

Ms. Lannan said after sixty (60) days warning letters are sent to the supervisor to submit the semi-annual evaluation report within fifteen (15) days.

Mr. Godsey asked Ms. Lannan to put the apprenticeship program on the agenda for the next meeting in October 2006.

Ratify new applications, passage of the practical exam, completion of apprenticeship programs, apprenticeship applications, applications/reinstatements, closed files, problem file review and other board business

New applications

Upon review by the board consultant and found to be in order, Ms. Hawkins made a motion, seconded by Ms. Chitwood, to approve the following applicants to sit for the June 30, 2006 practical examination:

**Tracy Hayes Jedlicki
William Abrams
Russell Wyatt
Berry Jackson
Sharon Kurtz
Allison Kiser
Nicholas Ellis**

The motion carried.

Ratify passage of the practical examination

Ms. Chitwood made a motion, seconded by Ms. Hawkins, to ratify the following applicants who passed the practical examination:

Dawn Arnold
Eric Hanson
Larry Lane
April Martin
Sandra Reames

The motion carried.

Ratify completion of apprenticeship program

Ms. Hawkins made a motion, seconded by Ms. Chitwood, to ratify the following applicant who completed the apprenticeship program:

Thomas E. Danko

The motion carried.

Ratify new applicants for apprenticeship program

Ms. Hawkins made a motion, seconded by Ms. Hannah, to ratify the following new applicants for the apprenticeship program:

Courtney Belew
Heather Irvin
Brian Kees
Tammy Scoggins
Kim Sears
Sara Serati
Caysie Duey
Dirk Weibezahn

The motion carried.

Applications/reinstatements to be reviewed

Upon review of the dispensing opticians application of **Janet Boyce-Ahlbrandt**, Ms. Chitwood made a motion, seconded by Ms. Hannah, to deny the application as Ms. Boyce-Ahlbrandt did not complete a three year apprenticeship program and inform her she must complete a three year program to be eligible for licensure. The motion carried.

Upon review, Ms. Hannah made a motion, seconded by Ms. Chitwood, to approve the following Dispensing Opticians reinstatement applications for:

Julie Harvey, DPO

Amy D. Arndt, DPO

Tina M. Mathis, DPO

The motion carried.

Ratify closed file

Upon review, Ms. Chitwood made a motion, seconded by Ms. Hawkins, to close the apprenticeship file of Kelly Haworth as she is not working in the optical profession. The motion carried.

Problem file review

The board reviewed the apprenticeship file of Carmen Brooks which included a letter from her supervisor, Terry Batiste, who stated they will not have their facility equipped with the recommended minimum equipment until February 2007.

Upon review, Ms. Hawkins made a motion, seconded by Ms. Hannah, to deny the apprenticeship program file of Ms. Brooks for failure to supply the recommended minimum equipment. The motion carried.

The board reviewed the apprenticeship file of Erin Randolph which failed to indicate she had experience fitting contact lens on any of her evaluation forms.

Upon review, Ms. Hannah made a motion, seconded by Ms. Hawkins, to approve the apprenticeship program file of Ms. Randolph. The motion carried.

The board reviewed the apprenticeship file of Harper Hale whose file was closed several years ago for failure to submit apprenticeship evaluation forms. Ms. Hale was sent a letter stating her file was closed. Two years later Ms. Hale sends in the documentation.

Ms. Hawkins made a motion, seconded by Ms. Chitwood, to notify Ms. Hale that she must apply for a new apprenticeship application. The motion carried.

For discussion

The board discussed the apprenticeship program for **Lance Anthony** Perry whose supervisor is located in a different location from the apprentice which is a violation of the apprenticeship rule.

Ms. Chitwood made a motion, seconded by Ms. Harkins, to deny the apprenticeship program of Mr. Perry. The motion carried.

Review continuing education requests

Upon review of the continuing education request from Opticians Association of America, National Opticians Convention in Atlanta, Georgia August 3-6, 2006, Mr. Godsey said the board cannot accept this request because the board received no other documentation than the five (5) pages submitted. Ms. Hannah made a motion, seconded by Ms. Chitwood, to deny the continuing education for improperly submitting the request. The motion carried.

Mr. Godsey asked Ms. Lannan to send Opticians Association of America a letter as to why the continuing education request was not approved.

Board update: Opticians Association of America did submit the correct documentation for their continuing education which was an administrative error. The continuing education was initially reviewed and approved by a member of the Board of Dispensing Opticians. The application will be presented to the Board at the October 11, 2006 meeting for full board approval.

Review Correspondence

Ms. Armstrong said she received a copy of the letter from Barbara Spicer, Executive Director of the Tennessee Dispensing Opticians Association regarding the solicitation of information and welcoming gifts to applicants following the practical examination. Ms. Armstrong said the Department of General Services prohibits solicitation on state property and offered to respond to Ms. Spicer to inform them that solicitation on state property is strictly prohibited.

With no other board business to conduct, Ms. Chitwood made a motion, seconded by Ms. Hannah, to adjourn at 11:15. The motion carried.

Ratified by the Board of Dispensing Opticians at the October 11, 2006 board meeting.

